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Security Council

Sixty-second year

Provisional

5710th meeting

Friday, 29 June 2007, 10.25 a.m.

New York

President:	Mr. Verbeke	(Belgium)
Members:	China	Mr. Li Kexin
	Congo	Mr. Gayama
	France	Mr. De La Sablière
	Ghana	Mr. Tachie-Menson
	Indonesia	Mr. Kleib
	Italy	Mr. Spatafora
	Panama	Mr. Suescum
	Peru	Mr. Chávez
	Qatar	Mr. Al-Bader
	Russian Federation	Mr. Churkin
	Slovakia	Mr. Mlynár
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Khalilzad

Agenda

The situation concerning Iraq

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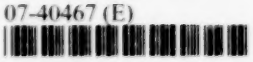

The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Iraq

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Iraq, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al Bayati (Iraq) took a seat at the Council table.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend invitations under rule 39 of its provisional rules of procedure to Mr. Demetrius Perricos, Acting Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission, and to Mr. Gustavo Zlauvinen, Representative of the Director General of the International Atomic Energy Agency (IAEA) and Director of the IAEA Office at United Nations Headquarters, New York.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2007/390, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland and the United States of America.

At this meeting, the Security Council will hear briefings by Mr. Demetrius Perricos, Acting Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission, and by Mr. Gustavo Zlauvinen, Representative of the Director General of the International Atomic Energy Agency (IAEA) to the United Nations and Director of the IAEA Office at United Nations Headquarters, New York.

I now give the floor to Mr. Demetrius Perricos, Acting Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission.

Mr. Perricos: I welcome this opportunity to brief the Council on our activities. The twenty-ninth quarterly report to the Council, covering the period 1 March to 31 May, is in document S/2007/314. This is the last quarterly report of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), in view of the imminent decision by the Council to terminate the mandate of UNMOVIC and that of the International Atomic Energy Agency (IAEA) under the relevant Security Council resolutions relating to Iraq.

In the present security environment of Iraq, the possibility should not be discounted that non-State actors may seek to acquire toxic agents or chemical precursors in small quantities. One recent example is the reported use by insurgents in Iraq of toxic industrial chemicals previously under United Nations monitoring, such as chlorine, combined with explosives for dispersal. The possibility of non-State actors getting their hands on other, more toxic, agents is real. In view of those events in Iraq and the interest generated by them, we have, in the annex to our twenty-ninth quarterly report, further elaborated our study on the issue of small quantities in both the chemical and biological areas.

UNMOVIC's activities over the past several years have been detailed in its quarterly reports to the Council and the various technical annexes thereto. We have already provided the Council with a summary of our compendium of Iraq's weapons of mass destruction (WMD) programmes, which was issued as document S/2006/420 in June 2006. The Council had been informed in the past of our intention to place the full compendium document on the UNMOVIC website, www.unmovic.org, after sensitive information had been eliminated. That, I am pleased to say, took place on 27 June.

The material has been redacted on the basis of two principles known to the Council. The first is information related to technology, research and production that may assist in the development of

weapons of mass destruction and means of delivery. The second principle concerns the confidentiality of certain information, which includes names of foreign companies, institutions and banks, names of countries and names of individuals. The same principles will apply in the classification of UNMOVIC's archives. The publication of the compendium provides a detailed and comprehensive United Nations account of the former Iraqi regime's extensive WMD programmes. For the first time it provides lessons learnt over many years of United Nations inspections and monitoring, which could be useful in any future multilateral verification undertaking.

With your encouragement, Mr. President, we have actively pursued our training programme for inspectors on our roster. A multidisciplinary training course related to petrochemical technologies took place from 9 to 22 June in Doha, Qatar. It is noteworthy that this is the first training course to be conducted by UNMOVIC in the Middle East region. The course had long been planned and I am grateful to the Government of Qatar for the support it provided.

The training course in Qatar was the last training course provided by UNMOVIC for its roster of 380 experts. The other 38 courses, from UNMOVIC's inception, were possible due to the generosity and support of the Governments of Argentina, Austria, Brazil, Canada, China, Finland, France, Germany, Romania, Sweden, Switzerland, United Kingdom and the United States. I take this opportunity to again thank those Governments which have been consistently supporting our training activities.

Members will recall that on many occasions over the past years I have been asking that the Council find the opportunity to revisit UNMOVIC's mandate, including the activities and the process that could eventually lead to the closing of the disarmament file for Iraq and any other follow-up actions required. I have also drawn the attention of the Council in the past to the fact that, unless the Council decides otherwise, it would be assumed by UNMOVIC that the relevant disarmament obligations on Iraq in section C of resolution 687 (1991) and the disarmament undertakings in the letter of 8 May 2003 from the Permanent Representatives of the United Kingdom and the United States to the President of the Council, and noted by the Council in its resolution 1483 (2003), constitute the standards for determining the disarmament of Iraq.

During the period from 27 November 2002 to 17 March 2003 — when United Nations inspectors were withdrawn — UNMOVIC conducted 731 inspections covering 411 sites, 88 of which had not been inspected before. The inspection findings were summarized in paragraphs 8, 9 and 19 of the thirteenth quarterly report to the Council of 30 May 2003. In paragraph 8, it was noted that

> "In the period during which it performed inspection and monitoring in Iraq, UNMOVIC did not find evidence of the continuation or resumption of programmes of weapons of mass destruction or significant quantities of proscribed items from before the adoption of resolution 687 (1991)";

and in paragraph 9 it was reported that

> "Inspections uncovered a small number of undeclared empty chemical warheads which appear to have been produced prior to 1990. Those and a few other proscribed items were destroyed" (*ibid.*).

Such destruction activities also included two thirds of the Al Samoud 2 missiles, which exceeded the 150-kilometre range limit set by the Council. Paragraph 19 of the same quarterly report clarifies that, during the inspections,

> "a thorough assessment was made of both dual-use capabilities and the amount of time that would be needed to reconfigure specific installations to perform proscribed activities" (*ibid.*).

But neither the inspections nor the declarations and documents submitted by Iraq to UNMOVIC have resulted in eliminating the existing unresolved disarmament issues. A list of key remaining disarmament tasks selected from unresolved disarmament issues was presented to the Council on 19 March 2003.

In the light of changes in Iraq in the aftermath of the war in 2003, we have revisited the unresolved disarmament issues. We understood that resolution 1284 (1999), under which UNMOVIC was created, required us to update our assessment of what are the remaining disarmament issues regarding items, materials and capabilities with respect to Iraq. I outlined to the College of Commissioners at its last

meeting in May our present assessment of these outstanding issues.

The list of unresolved disarmament issues had been established on the basis of various sources, such as the report of the United Nations Special Commission (UNSCOM) (S/1999/94) and the Amorim report (S/1999/356) on the matter, as well as UNSCOM inspection reports and findings since 1991. During that early period of inspections, the United Nations inspectors uncovered key elements of the proscribed programmes, including that of undeclared biological warfare agents production and weaponization that had been concealed by Iraq until 1995. The inspectors also uncovered advanced capabilities in chemical weapons development, including the nerve agent VX, as well as indigenous developments on long-range missiles. Furthermore, the inspectors supervised the destruction of large quantities of proscribed items, material, munitions, missiles and equipment.

In addition to those findings, various declarations and documents of Iraq — including those from the Haidar or so-called Chicken Farm — were consulted. The latter revealed that Iraq had deliberately concealed at that time significant parts of its proscribed programmes, in particular in the chemical area, thus triggering considerable doubt about the sincerity of its intention to disarm. That led to UNSCOM's and then UNMOVIC's increased and sustained attention to any disarmament issue that remained unresolved.

When assessing if a disarmament issue is still relevant, it has been necessary to consider whether any information made available since the draft UNMOVIC work plan was submitted to the Security Council in March 2003 could contribute to its solution. Such information includes any finding of an unaccounted-for item or evidence of its destruction, such as in testimony or documents, as well as assessments from the analysis of the latest pre-war Iraqi declarations and explanations, results of satellite imagery analysis and open-source information, such as the 2004 comprehensive report of the United States-led Iraq Survey Group (ISG) and its 2005 addendum.

It should be noted that UNMOVIC did not have access to any of the supporting documentation, interview testimony or details of site inspections carried out by the ISG. The main finding in the ISG's comprehensive report — the absence of any stockpiles of WMD or evidence of a revival of WMD-related programmes proscribed under the Security Council's resolutions — corresponds to UNMOVIC's conclusions reported to the Council in June 2003 with our thirteenth quarterly report, in light of our own verification experience in Iraq.

The outstanding disarmament issues that we believe are of certain concern are of a technical nature and I shall therefore not detail them here. They cover all the weapons disciplines — chemical, biological, missiles and other means of delivery. While assessing the current relevance of a disarmament issue, UNMOVIC also considered whether it still represents a threat. For example, what would be the current potential viability of a chemical or biological agent or the usability of a missile? A number of those issues — for instance, the 25 known Al Samoud 2 missiles that had not been destroyed by the middle of March 2003 and the 326 SA2 missile engines that are unaccounted for — have been reported by me to the Council during my presentation of various UNMOVIC quarterly reports.

When reviewing the unresolved issues to determine whether they were still relevant, UNMOVIC has also identified capabilities that may still remain in Iraq. Capabilities include scientists and technicians involved in proscribed programmes, where they gained experience and know-how. They also include a large number of dual-use equipment — more than 7,900 items that we knew were in certain sites in Iraq as of March 2003, but of whose present whereabouts we have no knowledge, except for the few found outside Iraq.

The ISG report states that Iraq's chemical industry had the capability to restore chemical weapons production as a result of improvements in the chemical infrastructure achieved during the latter half of the 1990s. It further states that large and important projects for the indigenous production of chemicals were initiated to improve Iraq's self-sufficiency in their availability. At the same time, it recognizes that Iraq's industry was still struggling with serious shortages in many areas. UNMOVIC had arrived at similar conclusions regarding the production capability of Iraq's chemical industry after it had inspected all key facilities potentially capable of involvement in a chemical weapons programme, and determined that a number of them could be adapted for such a purpose after reconfiguration of the equipment.

Know-how, at least the part of it necessary to develop proscribed activities, lies in the memory of each of those who already participated in those activities. But it may also be available in documents or records describing fabrication processes, sometimes referred to as "cookbooks", including blueprints and test results. UNMOVIC cannot provide assurances that all such documents and blueprints are in its possession or have been destroyed and that none remain in the hands of Iraqi individuals. The use of this know-how and of relevant capabilities was expected to be monitored by the United Nations under the monitoring mechanism created by the Council as long as the Council reaffirmed Iraq's disarmament obligations under its relevant resolutions, not through self-monitoring by Iraq's national institutions.

It should also be noted that a number of UNMOVIC's present concerns about unresolved issues actually follow from the ISG's findings. For example, the report of the Iraq Survey Group provided information related to the disposal by Iraqi personnel of bulk quantities of liquid anthrax in an area in Baghdad in 1991, but it was not clarified whether those quantities of agent were deactivated before being dumped into the ground. That could represent a reservoir from which this strain of anthrax could be isolated and cultured in the future. Another example relates to the status, as of 2004, of the Muthanna facility, which was the main chemical-weapons production site in Iraq. It was stated that all structures and bunkers at the site that had been sealed under the observation of the United Nations inspectors in 1994 had been breached and some equipment and materials removed. The ISG reported that chemical munitions were still being stored in the bunkers and that the bunkers tested positive for the presence of chemical-weapon agents. UNMOVIC therefore no longer knows the current status of the items and materials that were contained in the bunkers when a handover protocol was signed in 1994 between UNSCOM and Iraq, which required steps by the Government of Iraq to ensure the integrity of the buildings containing potentially lethal toxic agents.

It is widely accepted that there can be no complete certainty that disarmament has been fully achieved in a country. On a number of occasions, I personally and Mr. Blix before me referred to the unavoidable residue of uncertainty that will remain in that regard. A number of the still-open issues in the chemical, biological and missile areas could have been clarified with some additional activities such as sampling, interviews, the checking of documents in the possession of the ISG or even information from the coalition authorities. Some issues would not have been resolved even with such measures. However, the Council foresaw in 1991 that disarmament would need to be followed by an undetermined period of ongoing United Nations monitoring, which would minimize any continuing uncertainty regarding the closing of the disarmament file.

Under the present circumstances, the remaining outstanding issues cannot be resolved and therefore contribute to the residue of uncertainty. If Iraq had already acceded to the Chemical Weapons Convention (CWC) and were under the inspection regime of the Organization for the Prohibition of Chemical Weapons (OPCW), the uncertainty with regard to its chemical weapons programme would be reduced. That is important, given that any industrial developments in Iraq would result in substantial increases in the size and extent of the chemical industry in the future. As I reported to the Council, it is nearly a year since we provided extensive information intended to assist Iraq in submitting to the OPCW an initial inventory of its chemical-warfare programmes, as required by the CWC. It is, of course, up to the Council, exercising its judgement, to determine whether it will accept the residue of uncertainty when taking a decision to close the Iraq WMD disarmament file.

This is my last briefing to the Security Council as Acting Executive Chairman of UNMOVIC. It coincides with my last working day in the Organization. Sixteen years ago, in April 1991, I had the opportunity as an IAEA official to be present in the Council Chamber when the Council adopted resolution 687 (1991), which is considered the mother of all resolutions related to weapons of mass destruction in Iraq. It created the mandate for the United Nations Special Commission established pursuant to Security Council resolution 687 (1991) (UNSCOM), the predecessor of UNMOVIC, and for the IAEA relating to Iraq. The draft resolution on which the Council will take action today, terminating that mandate, closes a cycle of many years of verification, during which the United Nations showed that it can successfully carry out the activities demanded by the international community despite difficulties and, frequently, a lack of cooperation from the inspected party. That draft

resolution also brings to mind paragraph 14 of resolution 687 (1991), in that fulfilment of the Iraqi obligations under the resolutions represents steps towards the goal of establishing in the Middle East a zone free of weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons. I sincerely hope that that goal will not be overlooked, but that it will be realized in the not-too-distant future. It also raises another question, regarding, the future of the obligations that were imposed on Iraq by various Council resolutions and that are still valid. Of particular interest for the future — not only for Iraq, but also for exporting States — is resolution 1051 (1996) and the export/import mechanism that it established to monitor the trade in dual-use items, equipment and material.

I have had the opportunity to thank UNMOVIC's College of Commissioners for the support and advice that they provided to me. I would also like to thank the members of the Council secretariat for their full cooperation since the creation of UNMOVIC. My thanks go also to the Chairmen of UNSCOM, Ambassadors Ekeus and Butler. In particular, I wish to thank Mr. Hans Blix for the professional and independent manner in which he guided UNMOVIC during a very critical operational period. I also take this opportunity to thank successive members of the Council for the guidance and support that they offered me and UNMOVIC, and especially for the patience that they have shown in listening to my statements every three months since September 2003.

I wish to conclude by expressing my thanks and gratitude to the inspectors and the support staff of UNMOVIC and its predecessor, UNSCOM, and the staff of the IAEA involved in Iraq, for their dedicated work, diligence, courage and devotion to their mission of serving the United Nations and the Security Council and for using their knowledge, experience and expertise in unravelling a very complicated picture related to Iraq's weapons of mass destruction programmes. Through their professionalism, they made Iraq a success story in international verification, and I hope that that expertise will not be dispersed and lost to the United Nations in the future.

The President (*spoke in French*): I thank Mr. Perricos for his briefing.

I now give the floor to Mr. Gustavo Zlauvinen, Representative of the Director General of the International Atomic Energy Agency (IAEA) to the United Nations and Director of the IAEA Office at United Nations Headquarters, New York.

Mr. Zlauvinen: The Director General of the International Atomic Energy Agency (IAEA), Mr. ElBaradei, has asked me to read out the following statement in connection with the draft resolution contained in document S/2007/390, dated 28 June 2007:

> "I recall my report to the Security Council of 7 March 2003, in which I informed the Council that the IAEA had found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq.

The detailed knowledge of Iraq's capabilities that IAEA experts had accumulated since 1991, combined with the rights provided under the relevant Security Council resolutions, the active commitment by all States to help us fulfil our mandate and an increased level of Iraqi cooperation would have enabled the Agency to provide the Security Council with an objective and thorough assessment of Iraq's nuclear-related capabilities within a few months.

> "I also informed the Council at that time that the IAEA would endeavour to evaluate Iraq's capabilities on a continuous basis as part of our long-term monitoring and verification programme, in order to provide the international community with ongoing and real-time assurances.
>
> "As I have reported in my consolidated progress reports on the IAEA's verification activities pursuant to the relevant Security Council resolutions, the IAEA has not been able, since 17 March 2003, to implement its Security Council mandate in Iraq and has only been able to verify, in accordance with Iraq's safeguards agreement under the Treaty on the Non-proliferation of Nuclear Weapons, the remaining nuclear material in Tuwaitha in each of the years from 2003 to 2006.
>
> "Once the security situation permits, with the cooperation of the Government of Iraq and through the full implementation of its safeguards agreement, as well as an additional protocol thereto that the IAEA hopes Iraq will conclude in the near future, the Agency will be able to

provide assurances of the non-diversion of declared nuclear material and the absence of undeclared nuclear material and activities in Iraq.

"Finally, let me express my appreciation for the support provided by the Council to the Agency throughout the difficult 12 years of its work in dismantling Iraq's clandestine nuclear programme and in providing assurance that it was not revived.

"I would also like to put on the record, on behalf of all Agency staff, our gratitude for the recognition given to the Agency and its dedicated staff."

The President (*spoke in French*): I thank Mr. Zlauvinen for his briefing. I shall now give the floor to those Council members who wish to make statements.

Mr. Khalilzad (United States of America): As the Council prepares to vote to terminate the mandates of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) Iraq Nuclear Verification Office upon completion of their missions, I appreciate this opportunity to brief the Security Council on the subject of weapons of mass destruction (WMDs) in Iraq from 2003 to the present.

First, I would like to commend the work of the dedicated professionals in UNMOVIC, IAEA and the United Nations Special Commission (UNSCOM) since 1991. The United States and the United Kingdom, along with the other United Nations Members who constitute the Multinational Force in Iraq, have taken all appropriate steps to investigate each credible report of the presence of weapons of mass destruction or their delivery systems in Iraq.

The Iraq Survey Group, comprised of 1,400 experts from several countries, worked diligently from the spring of 2003 through early 2005 to investigate Iraq's WMD stockpiles, such as chemical and biological agents, and any research programmes and infrastructure that could be used to develop WMDs. While security conditions in Iraq have at times made this work difficult and dangerous, the Iraq Survey Group and the Multinational Force have been well equipped and trained to conduct such investigations.

These efforts have demonstrated that the current Government of Iraq does not possess any weapons of mass destruction or delivery systems. The Multinational Force, however, continues from time to time to discover residual abandoned stocks of munitions, which are handled appropriately in coordination with the Government of Iraq.

In looking to the future, the Iraqi Government has a solid commitment to non-proliferation embodied in its Constitution, approved by the citizens of Iraq in October 2005. Article 9 states,

> "The Iraqi government shall respect and implement Iraq's international commitments regarding the non-proliferation, non-development, non-production, and non-use of nuclear, chemical, and biological weapons, and shall prohibit associated equipment, material, technologies, and delivery systems for use in the development, manufacture, production, and use of such weapons."

This fact and this commitment stand in contrast to the circumstances under Saddam Hussein's regime. The Iraq Survey Group report made clear Saddam Hussein's intent to develop weapons of mass destruction as soon as United Nations sanctions were lifted, the fact that he maintained a breakout capacity that would have enabled rapid production of chemical and biological weapons and the fact that he repeatedly made false reports to United Nations inspectors of WMD programmes.

With regard to chemical weapons, it is evident that Iraq had constructed facilities prior to March 2003 that could produce chemical weapons. Iraq had the capacity to produce large quantities of sulphur mustards within three to six months, as well as the capacity to produce nerve agents within two years. The Iraq Survey Group determined that, following the 1991 Gulf War, Iraq abandoned efforts to preserve its pre-1991 chemical weapon capability and destroyed most of its undeclared chemical weapon stockpiles in 1991. A significant number of old, pre-1991 abandoned chemical munitions have since been discovered and secured by Coalition forces.

Since 2003, multinational experts have implemented a series of measures to seal and secure remaining chemical weapon sites. Coalition forces have worked hard to investigate reports of abandoned chemical munitions to ensure that they are accounted for, analyzed and destroyed to prevent any hazard to Iraqi civilians. Coalition forces continue to work with

the Government of Iraq to ensure the safety and structural integrity of these sites.

With regard to nuclear weapons, the Iraq Survey Group uncovered evidence of the maturity and intent of the pre-1991 Iraqi nuclear programme. The Government determined, however, that the Iraqi ability to reconstitute a nuclear weapons programme had progressively deteriorated after 1991, despite Saddam Hussein's interest in nuclear weapons and in retaining nuclear weapons scientists. There was no evidence that his Government made a serious effort to acquire the fissile materials needed to develop a nuclear-weapon programme.

The Iraq National Monitoring Directorate has been transformed by the Government of Iraq into an organization that fully supports international non-proliferation goals. The Government of Iraq has requested and is receiving IAEA and other international assistance to help Iraqi authorities establish full compliance with all IAEA requirements concerning remaining material connected to nuclear-weapon programmes.

Furthermore, the Iraqi Government has established the Iraqi Radioactive Source Regulatory Authority (IRSRA), in cooperation with the IAEA, along with the United States Departments of State and of Energy and the Nuclear Research Council. Iraq has committed itself to operating this new, independent agency in accordance with the IAEA Code of Conduct on the Safety and Security of Radioactive Sources. IRSRA currently has a staff of 54 people. With Iraqi survey teams checking locations known to have had radioactive sources in the past, the organization has nearly completed an inventory of Iraq's radioactive sources and has confirmed and inventoried all those currently in use.

Unwanted radioactive sources have been collected and placed in secure storage. Last year alone 260 missions were conducted covering all Iraqi governorates. Field survey missions are ongoing, concentrating now on lost or orphan radioactive sources. As a result, 1,130 radiation sources have been recovered, while 1,680 radiation sources have been accounted for and updated in the inventory.

To help secure Iraq's borders, a radioactive border control training programme has been established for customs officers and others. The Government of Iraq has also distributed hand-held monitoring equipment to 17 border points thus far. That project represents Iraq's first move to implement radiological border monitoring.

Since 2003, coalition forces have also worked closely with the Government of Iraq to ensure that radiological sources are properly secured and closely monitored. Proper and secure arrangements for their appropriate disposition are made at the discretion of the Iraqi authorities. This close cooperation with coalition forces and careful accountability of radiological sources have prevented the compromise of this sensitive material.

The Iraqi Survey Group uncovered no evidence that Iraq has retained SCUD-variant missiles. Debriefing of Iraqi officials from the former regime, in addition to some documentation that has been reviewed, suggests that Iraq did not retain such missiles after 1991. However, the Group did find Iraqi plans or designs for three long-range ballistic missiles with ranges from 400 to 1,000 kilometres, and for a 1,000-kilometre-range cruise missile, although none of those systems progressed to production and only one reportedly passed the design phase. The Iraq Survey Group assessed that those plans demonstrated Saddam's continuing desire, up to the beginning of Operation Iraqi Freedom, to acquire a long-range delivery capability.

Given Iraq's investment in technology and infrastructure improvements in an effective procurement network, skilled scientists and designs already on the books for longer-range missiles, the Iraqi Survey Group assessed that Saddam Hussein clearly intended to reconstitute long-range delivery systems that could potentially be used as a delivery platform for weapons of mass destruction.

The Iraq Survey Group also determined that Iraq could have established an elementary biological weapons programme within one month or less if desired. The Group judged that in 1991 and 1992 Iraq destroyed most of its undeclared stocks of biological weapons and agents. Some remaining biological-weapons-related seed stocks were destroyed following their discovery by coalition forces following Operation Iraqi Freedom. Nonetheless, in spite of exhaustive investigations, the Iraqi Survey Group uncovered no evidence suggesting that Iraq possessed or was developing biological weapons, agents or production facilities.

In summation, with the findings of the Iraqi Survey Group, the extensive and careful efforts of the Multinational Force and experts, and the aggressive corrective actions taken by the Iraqi Government, at present there is no longer any reason to believe that significant quantities of Saddam-era weapons of mass destruction remain undiscovered in Iraq.

Furthermore, the United States and others have also been working with the Iraqi Government to ensure that the Iraqi scientists previously engaged in Iraqi WMD programmes, many of whom are accomplished scientists and experts in their respective fields, are gainfully employed and contributing their substantial expertise to the reconstruction of Iraq. Perhaps most importantly, Iraq is no longer a country that has any political intent or military plan to utilize such terrible weapons.

Sir Emyr Jones Parry (United Kingdom): I should like to thank Mr. Perricos and Mr. Zlauvinen for their reports.

The United Kingdom is grateful to the United Nations Special Commission (UNSCOM), the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency's (IAEA) Iraq Nuclear Verification Office for the roles they played in monitoring Saddam's weapons of mass destruction (WMD) programmes and determining whether his regime was complying with the disarmament obligations placed on it by the Security Council from 1991 onwards.

The United Kingdom would like to draw the attention of the Security Council to the report of the Special Adviser to the Director of the CIA, which catalogues the state of Iraq's disarmament and the residual stocks of WMD material. UNMOVIC has previously reported to the Council on chemical weapons finds made by the coalition forces.

The United Kingdom welcomes the commitment made by the Government of Iraq to respect and apply existing international commitments and obligations to the non-proliferation of nuclear, chemical and biological weapons. In particular, we welcome the Government of Iraq's full constitutional commitment to taking disarmament forward. That includes preparations to accede to the Chemical Weapons Convention, its intention to agree an additional protocol to its Safeguards Agreement with the International Atomic Energy Agency, and the establishment of a National Monitoring Directorate to oversee and control the movement of dual-use items.

We are not closing the file on weapons of mass destruction in Iraq, but we are changing the approach. We look forward to the Government of Iraq's report to the Security Council on its progress in adhering to all applicable treaties and international agreements, in harmonizing Iraqi export legislation with international standards, and on the progress made by the National Monitoring Directorate in its work.

It is the United Kingdom's assessment that for some time neither UNMOVIC nor the IAEA's Iraq Nuclear Verification Office have been in a position to carry out their functions in a way which serves the aims of disarmament and non-proliferation. Instead, therefore, we should now move forward and focus on ensuring that Iraq itself continues to take steps to support the international non-proliferation regime and itself adheres to disarmament and non-proliferation treaties and related international agreements. For our part, the United Kingdom will continue to help Iraq to do just that, both as a friend of Iraq and as a partner within the Multinational Force. But we also encourage Iraq's neighbours and the international community more broadly to cooperate with Iraq and assist it in implementing its non-proliferation obligations and building capacity in the relevant areas.

Mr. Al-Bader (Qatar) (*spoke in Arabic*): I wish at the outset to thank Mr. Demetrius Perricos, Acting Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), for his very illuminating briefing to the Council this morning. We congratulate him on the manner in which he has discharged his functions. Our thanks go also to Mr. Gustavo Zlauvinen, representative of the Director General of the International Atomic Energy Agency (IAEA) to the United Nations, for his briefing.

The situation in Iraq has changed markedly since the adoption of resolution 1284 (1999), on the establishment of UNMOVIC. It is no longer necessary for UNMOVIC to remain in that country in order to verify the Iraqi Government's fulfilment of its obligation to destroy weapons of mass destruction and their delivery systems. We are pleased that that page of this difficult file has been turned and that the reasons for the opening of that file have now disappeared.

The Commission devoted much energy and resources to its work in this area. It is now clear that Iraq has no weapons of mass destruction; we hope that the entire Middle East, including Israel, will be a region free of nuclear weapons.

We are therefore in favour of the Security Council adopting a draft resolution terminating the mandate of UNMOVIC and requesting that remaining unencumbered funds in the UNMOVIC account be transferred to the Government of Iraq in order to meet the aspirations of the Iraqi people.

We thank all those who have worked with UNMOVIC and the IAEA and all other international staff who successfully carried out the duties assigned to them by the Security Council. We hope that we can use the considerable experience acquired by UNMOVIC over the years to strengthen international peace and security.

Mr. De La Sablière (France) (*spoke in French*): I wish first of all to thank the Acting Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the representative of the Director General of the International Atomic Energy Agency (IAEA) to the United Nations for their briefings this morning. I take note of the statements made by the representatives of the United States and the United Kingdom and of the letter dated 24 April 2007 from the Minister for Foreign Affairs of Iraq addressed to the Security Council (S/2007/236, annex).

For several months many in the Security Council have spoken in favour of the principle of closing the Iraq disarmament file, on which for some 16 years the international community has focused in response to the exceptional defiance of the former regime of Saddam Hussein. It did so while seeking to ensure that the various dimensions of that sensitive file were duly addressed.

The first is the political dimension. The context has changed. Iraq has regained its sovereignty, and a democratically elected Government legitimately wishes to take control of its future and, in particular, to shoulder its non-proliferation responsibilities.

The second is the security dimension. All of us, including the Iraqis, know how important it is to ensure that Iraq not become once again a threat to the region or to itself and that any remaining proliferation risks — in particular in the light of recent history and the unstable security situation — be properly addressed.

The final dimension relates to the United Nations, and in particular to the Security Council, which was deeply involved in this matter and which can take the important decision to close the file only with full understanding of it and possessing sufficient information to take such a decision.

Thus, France has taken note with interest of this morning's briefings to the Council by the representatives of the IAEA and of UNMOVIC. It is crucial that in shaping its assessment it takes account of the briefings of those two bodies, which possess unparalleled expertise in this area. In that regard, my delegation wishes to pay special tribute to the unique multidisciplinary activities carried out by UNMOVIC and the IAEA — both in the field, until 2003, in the case of UNMOVIC, and outside Iraq, where remarkable work in compiling and analysing data was carried out, including by representatives of the coalition.

France takes note today of the United Kingdom and United States assessment that all measures have been taken since March 2003 to guarantee Iraq's respect for its obligations in the field of disarmament, in accordance with Security Council resolutions. My country also takes note of the letter dated 24 April 2007 from the Minister for Foreign Affairs of Iraq addressed to the Security Council (S/2007/236, annex), setting out the request of the Government of Iraq that the mandates of UNMOVIC and the IAEA be terminated within Iraq, along with the conviction of the Iraqi authorities that weapons of mass destruction that could justify the continuation of those mandates are no longer present in Iraq. My country also notes with interest the Iraqi Government's commitment to full accession to the international non-proliferation regime.

In that light, France wishes to outline a number of ideas: an affirmation that the prohibited programmes begun by the Saddam Hussein regime have been eliminated thanks to the effectiveness of United Nations inspections; a reminder that, while not every issue has been resolved, a low level of uncertainty remains; acknowledgement that the sovereign Government of Iraq is now in charge and that, in spite of the level of uncertainty, it is no longer justified to continue the exceptional monitoring regime carried out by UNMOVIC and the IAEA; and the need to

strengthen regional security and ensure compliance with international non-proliferation obligations.

On that basis, France is prepared to respond favourably to the request of the Iraqi Government and to vote in favour of draft resolution S/2007/390, submitted by the United Kingdom and the United States. We hope that Iraq will fully shoulder its responsibilities and its international obligations by committing itself to adhering to the principal international instruments in the field of disarmament and non-proliferation and by adopting apt and effective national legislation and provisions.

We also express the desire that these commitments be implemented as soon as possible and that, one year from now, Iraq will thus be able to report to the Security Council on the progress that has been made, as provided in the draft resolution.

The President (*spoke in French*): I give the floor to the representative of Iraq.

Mr. Al Bayati (Iraq): Mr. President, allow me at the outset to express my delegation's high consideration for your presidency during this historic meeting for my country, Iraq, and for all the countries that seek to live in peace and aim to achieve progress and prosperity.

We commend the efforts of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), its predecessor, the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) to disarm the weapons of mass destruction of the Saddam regime. We thank Mr. Dimitrius Perricos for his report, although he concentrated mostly on the past. We, with our friends in the world, are concentrating on the present and the future. We also thank Mr. Gustavo Zlauvinen for his positive report.

When the Security Council adopts the draft resolution to terminate the mandates of UNMOVIC and the IAEA's Iraq Nuclear Verification Office, an appalling chapter in Iraq's modern history, which has had a destructive impact on its people, will be closed. As is well known, the mandates of UNMOVIC, its predecessor, UNSCOM, and the IAEA were to destroy, remove and render harmless Iraq's weapons of mass destruction — weapons that the previous regime was keen to acquire and to use against its own people and to threaten Iraq's neighbours, the stability of the region and the whole world.

Disarming the previous regime of its weapons of mass destruction, which was the responsibility of the international community, was not an easy or painless task. The Iraqi people paid a very heavy price during that period of time due to the regime's possession of those weapons and its refusal to cooperate with the relevant international bodies responsible for their elimination — a price which led to the loss of thousands of innocent lives, in addition to a waste of national resources and the total destruction of the infrastructure.

When this dreadful chapter ends, the Government and people of Iraq will look forward to a better life, with strong determination to live in peace among themselves, their neighbours and with the entire world.

The draft resolution before the Council will put several obligations on Iraq. We consider them to be national obligations rather than international commitments. We have committed ourselves, in article 9, paragraph (e) of our Constitution, to the following:

> "The Iraqi Government shall respect and implement Iraq's international commitments regarding the non-proliferation, non-development, non-production, and non-use of nuclear, chemical and biological weapons. Associated equipment, material, technologies and communications systems for use in the development, manufacture, production and use of such weapons shall be banned."

In addition, the Government of Iraq fully cooperated with the Iraq Survey Group.

As mentioned in the letter dated 8 April 2007 from His Excellency the Minister for Foreign Affairs, Mr. Hoshyar Zebari, to the President of the Security Council, attached as annex II to the draft resolution, the Iraqi Government reiterates its commitment to the Nuclear Non-Proliferation Treaty (NPT), the safeguards agreement of the International Atomic Energy Agency, the Biological Weapons Convention and the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.

In addition, the Iraqi technical authorities have drafted a law on Iraq's accession to the Chemical

Weapons Convention. That law is currently before the parliament with a view to its adoption as soon as possible. Preparations are also under way for the accession to the Model Additional Protocol of the IAEA safeguards regime and to other international treaties and arrangements concerning disarmament and non-proliferation.

We consider the Council's adoption of the draft resolution to terminate the mandate of UNMOVIC and the IAEA's Iraq Nuclear Verification Office as a reaffirmation that all prohibitions related to trade with Iraq and the provision of financial or economic resources to Iraq established by the relevant Security Council resolutions — in particular resolutions 661 (1990) and 687 (1991) — shall no longer apply. We emphasize that Iraq is keen, now and in the future, to fulfil all its obligations and commitments concerning disarmament and non-proliferation. We look forward to transferring the assets from UNMOVIC's escrow account to the Development Fund for Iraq, as well as UNMOVIC's material and properties to the Government of Iraq, during the three-month period determined by the draft resolution.

We commit ourselves to fulfilling our obligations, in accordance with the draft resolution to be adopted. The first of these is to inform the Security Council within one year on progress made in adhering to all applicable disarmament and non-proliferation treaties and other arrangements, as mentioned in the draft resolution. The National Monitoring Directorate will be committed to controlling the transfer of dual-use material within a mechanism based on international standards.

The Iraqi people and Government are looking forward to all Security Council members voting in favour of the draft resolution. We extend our gratitude to those Council members who supported Iraq in its efforts to close this chapter.

While we greatly appreciate the Council's adoption of this draft resolution, which will lead towards enabling Iraq to contribute, along with the international community, to the maintenance of peace, security and stability in our region and the world — we also look forward to its consideration of an appropriate mechanism to address another heavy burden for Iraq — namely, compensation — in a manner that will ease and end the financial burden that has prevented Iraq from fully using its resources and allocating them to development and progress. This compensation is a result of the invasion by the previous regime of our neighbouring country, Kuwait. The Iraqi people, who suffered from the regime's brutal practices, should not be held responsible.

The President (*spoke in French*): It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Kumalo (South Africa): We, too, would like to convey the South African Government's appreciation to the International Atomic Energy Agency (IAEA), the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and its predecessor, the United Nations Special Commission (UNSCOM) for the outstanding and highly professional work they have carried out, often in the face of seemingly insurmountable obstacles that were placed in their way. We pay tribute to the present and former staff members of these organizations, including the former Executive Chairman of UNMOVIC, Dr. Hans Blix, who worked under extremely difficult conditions.

At the outset, we should recall that the destruction of Iraq's chemical, biological and nuclear weapons programmes and missile systems was set out by the Security Council in resolution 687 (1991) as a precondition for the ceasefire that ended the first Gulf war. The sanctions against Iraq have been linked to the question of whether Iraq still possessed weapons of mass destruction programmes and related delivery systems or the intention to reconstitute those programmes.

It is also important to recall in that regard that the entire Security Council programme to disarm Iraq was based from the outset on a regional dimension. Paragraph 14 of resolution 687 (1991) clearly states that disarmament in Iraq would,

> "represent steps towards the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their

delivery and the objective of a global ban on chemical weapons".

That provision was later to be re-emphasized through the adoption of resolution 1284 (1999). Those Chapter VII resolutions remain in force, and hence the Council continues to be bound by its duty to help bring about nuclear, chemical and biological weapons disarmament and the removal of related delivery systems in the Middle East. The draft resolution also does not adequately clarify what will become of the proliferation-sensitive material in UNMOVIC's archives and the roster of experts. It is now incumbent upon all members of the Security Council to discharge their responsibly to oversee the appropriate reallocation or disposal of the UNMOVIC material and equipment so that available information and expertise is retained within the United Nations system with appropriate safeguards.

The international community now needs to support the new Iraqi Government in its efforts to transform Iraq into a stable and peaceful country that is part of a Middle East region that is free of weapons of mass destruction.

South Africa will vote in favour of the draft resolution, even though we would have preferred the mandate of the United Nations weapons inspectors to be closed on the basis of a United Nations report.

Mr. Kleib (Indonesia): My delegation will vote in favour of the draft resolution (S/2007/390) before the Council on the termination of the mandates of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and of the International Atomic Energy Agency (IAEA) in Iraq. The current disarmament situation in Iraq has improved compared to the time when UNMOVIC was established. We therefore believe that the continuation of the mandates of UNMOVIC and the IAEA is no longer required. The closing of the mandate constitutes a major step in recognizing that a chapter in the history of Iraq has been closed and reaffirms that the new Iraq is committed to its disarmament and non-proliferation obligations.

My delegation believes that the expertise and experience gained during the many years of operation of UNMOVIC are invaluable assets to the international community. We hope they will not be lost and will remain available to an independent and multilateral verification system in the future. While we would have liked to see a prior technical assessment of the significance of the remaining unresolved disarmament issues in Iraq before closure, we can understand the difficulty of verifying all remaining issues. We hope however, that the remaining unresolved disarmament issues will finally be resolved and will not be beyond reach. In that regard, we note the commitment of the Government of Iraq as indicated in its constitution to fulfil its obligations in the disarmament and non-proliferation field. We hope it takes the necessary steps to implement that obligation, including early accession to the Chemical Weapons Convention. We are hopeful that the implementation of Iraq's disarmament commitment will contribute to the early establishment of a zone free from weapons of mass destruction and their means of delivery in the Middle East.

Iraq is now experiencing a major transformation. Iraqis are embracing a new statehood based on democracy, the rule of law and participatory development. It is not always easy for the Iraqis to proceed in this new direction, in particular when security circumstances remain grim in the country. We empathize with the Iraqis, who face many challenges as they embark on that process. Hence, we believe that the conclusion of the mandates of UNMOVIC and the IAEA in Iraq will provide an opportunity for the Iraqis to reallocate their resources in order to meet other urgent needs and priorities of the country.

Finally, my delegation wishes to extend its appreciation to UNMOVIC and the IAEA for their dedicated professionalism and contributions in the implementation of their mandates throughout the years in Iraq.

The President (*spoke in French*): I now put to the vote the draft resolution contained in document S/2007/390.

A vote was taken by show of hands.

In favour:

Belgium, China, Congo, France, Ghana, Indonesia, Italy, Panama, Peru, Qatar, Slovakia, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Russian Federation

The President (*spoke in French*): The result of the voting is as follows: 14 votes in favour, none

against and 1 abstention. The draft resolution has been adopted as resolution 1762 (2007).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Churkin (Russian Federation) (*spoke in Russian*): Allow me first to express my delegation's gratitude to Mr. Perricos for his final briefing on the activities of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), its predecessor, the United Nations Special Commission, and their many years of work in Iraq. We take note of Mr. Zlauvinen's briefing on the work of the International Atomic Energy Agency (IAEA) regarding Iraq's nuclear programme. We have heard the statements made by the representatives of the United Kingdom and the United States reflecting their countries' interpretation of the question of Iraq's weapons of mass destruction. We are grateful to the Permanent Representative of Iraq, Mr. Al Bayati, for setting out Baghdad's position on Iraq's future activities in the area of non-proliferation and disarmament.

The Russian delegation believes that the model for terminating the mandate of the Commission, as outlined in draft resolution S/2007/390, submitted by the United Kingdom and the United States, deviates from our understanding of that question. The flaw in the process as outlined is that it does not provide for UNMOVIC certification regarding the closing of the Iraq disarmament file. Unresolved questions remain relating to the unclear fate of Iraqi military installations monitored by the Commission and remaining stocks of chemical and biological weapons and dual-use items. It is being suggested that we should forget about the residue of uncertainty regarding the fate of dozens of Iraqi missiles which United Nations inspectors, since early 1993, have been unable to destroy.

The resolution just adopted by the Council provides no clear answers regarding the presence in Iraq of weapons of mass destruction as of March 2003. In that respect, Russia has frequently proposed to the sponsors that they submit to the Security Council those elements of the Duelfer report of the Iraq Survey Group that relate to UNMOVIC's mandate with regard to certification of the international process. The sponsors, however, preferred not to do that.

For the purpose of ensuring stability in the region, it was our belief that in the process of working on the draft resolution it was important to clarify outstanding questions relating, in particular, to the creation of a national export control mechanism; involving Iraq in multilateral agreements on the non-proliferation of weapons of mass destruction; and clarifying the fate of its remnants of certain weapons and means of production not destroyed by United Nations inspectors prior to 2003. Thanks to our efforts, some of those points are reflected in the resolution just adopted, but unfortunately not to the proper degree.

Taking into account the entire range of issues, we abstained in the vote.

Mr. Li Kexin (China) (*spoke in Chinese*): In a historic decision, the Security Council mandated a full inspection and verification of weapons of mass destruction in the possession of Iraq and their complete destruction. Both the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) made painstaking efforts to that end. Their dedication and professionalism in conditions of extreme hardship and danger are highly impressive.

Mr. Hans Blix, former Chairman of UNMOVIC; Mr. ElBaradei, Director General of IAEA; and Mr. Demetrius Perricos, Acting Executive Chairman of UNMOVIC all led their teams with strict discipline, impartiality, transparency and professionalism. We express our profound appreciation and admiration to them for their devotion to finding the truths that will stand the test of history.

In its resolutions 687 (1991) and 1284 (1999), the Security Council demanded that Iraq destroy all its weapons of mass destruction. Convinced that the disarmament of Iraq would be achieved by peaceful means, China supported the United Nations inspection and verification activities in Iraq, which not only were in the interests of Iraq's security and stability, but would also contribute to peace and tranquillity in the Gulf region and the Middle East as a whole. With that in mind, China recommended numerous experts to UNMOVIC, one of whom gave his life in the line of duty.

The situation in Iraq has undergone tremendous changes since the establishment of UNMOVIC. The Iraqi people have elected a new Government that is devoted to the post-war political and economic

reconstruction of the country and its reintegration into regional and international affairs. In his letter of 24 April 2007, Foreign Minister Zebari of Iraq informed the President of the Security Council that

> "the Permanent Constitution of the Government of Iraq states that: 'The Iraqi Government shall respect and implement Iraq's international obligations regarding the non-proliferation, non-development, non-production and non-utilization of nuclear, chemical and biological weapons, and shall prohibit associated equipment, materiel, technologies and communication systems for use in the development, manufacture, production and utilization of such weapons' (*S/2007/236, para. 2*).

Iraq has also created relevant bodies to ensure that its international obligations in disarmament and non-proliferation are honoured.

China appreciates and acknowledges the aforementioned efforts of the Government of Iraq. China understands and consents to Iraq's urgent request that UNMOVIC be dissolved. We hope that Iraq will take the termination of the mandates of UNMOVIC and the IAEA Iraq Nuclear Verification Office as a new starting point and live up to the expectations of the international community by honouring its commitments and effectively meeting its obligations in disarmament and non-proliferation, thus restoring its position in the international community as a responsible member that contributes to the maintenance of security and stability in the Middle East.

The establishment of a region free of weapons of mass destruction in the Middle East is the common aspiration and objective of the international community, as well as a requirement of resolution 687 (1991). In the current circumstances, it assumes special significance because it would facilitate the building of mutual trust and contribute to easing tensions in the Middle East. China supports all efforts aimed at establishing a zone free of weapons of mass destruction in the Middle East and hopes that it can be achieved at an early date.

The President (*spoke in French*): In light of the resolution just adopted, this was the last briefing by the representatives of the United Nations Monitoring, Verification and Inspection Commission and of the International Atomic Energy Agency presented to the Council on the situation concerning Iraq. I wish therefore, on behalf of the members of the Council, to express our appreciation to the personnel of the Commission and the Agency for their important contributions in carrying out the mandates entrusted to them by the Security Council.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 11.45 a.m.